

TOWNSHIP BOARD
LINCOLN CHARTER TOWNSHIP
BERRIEN COUNTY, MICHIGAN
ORDINANCE NO. **04-08**

Board member Stauffer, supported by Board member Jewell, moved the adoption of the following ordinance:

AN ORDINANCE TO ADD PART 146 TO THE COMPILATION OF ORDINANCES OF LINCOLN CHARTER TOWNSHIP TO PROMOTE CONSERVATION OF AND TO EASE DEMANDS ON THE PUBLIC WATER SUPPLY BY REGULATING SPRINKLING WITH WATER FROM THE PUBLIC SYSTEM.

THE CHARTER TOWNSHIP OF LINCOLN ORDAINS:

Section 1. Addition. The following Part 146 is hereby added to the Compilation of Ordinances of Lincoln Charter Township:

Part 146

Water Conservation Ordinance

146.001 Name.

Sec. 1. This ordinance shall be known and may be cited as the Lincoln Township "Water Conservation Ordinance."

146.002 Purpose.

Sec. 2. The purpose of this ordinance is to regulate lawn and garden sprinkling with water from the Township's public water system to promote water conservation and ease demand on the public water system.

146.003 Definitions.

Sec. 3. The following words shall have the following meanings when used in this ordinance:

Sprinkling shall include all forms of directing water from the Township's public water supply system onto a lawn, yard, or garden, whether through an in-ground sprinkler system, through temporarily placed sprinklers, through a hose, or through any other system or mechanism, except that "sprinkling" shall not include drip irrigation systems, the use of a container such as a watering can or pitcher, or the use of a hose equipped with a spring-loaded shutoff device that automatically stops the flow of water if the hose is left unattended.

Street address or street addresses shall mean the numerical address or addresses assigned to a property by the U.S. Postal Service, or in the absence of same, that assigned to the property by the Township assessor's office.

146.004 Sprinkling Prohibited.
Sec. 4. Except as provided herein, sprinkling is prohibited.

Sprinkling of newly planted grass, trees, or other plants is exempt from this ordinance for the first 30 days following planting. Further, sprinkling of vegetable gardens is exempt from this section.

146.005 Days Sprinkling Permitted.
Sec. 5. Properties with even numbered street addresses, in which the last whole integer of the street address is 0, 2, 4, 6, or 8, may use water from the public water system for the purpose of sprinkling only from midnight to midnight on even-numbered calendar days.

Properties with odd numbered street addresses, in which the last whole integer of the street address is 1, 3, 5, 7, or 9, may use water from the public water system for the purpose of sprinkling only from midnight to midnight on odd-numbered calendar days.

For the purposes of this ordinance, properties that are without a street address or that include both even and odd street addresses, regardless of how many of each, shall be odd numbered street addresses.

146.006 Penalties.
In addition to any other remedy available to the Township at law or in equity, violations of this ordinance shall be punishable by a civil infraction with fines of not less than \$100, nor more than \$500, plus costs and fees as may be assessed by the Court.

Section 2. Effective Date. This ordinance shall be effective thirty (30) days after its publication, or a publication of a summary thereof, in a newspaper of general circulation in the Township.

Section 3. Publication. After its adoption, this ordinance or a summary thereof, as required by law, shall be published by the Township Clerk in a newspaper of general circulation in the Township.

Approved this eighth day of March, 2005.

YEAS: Stauffer, Jewell, Geisler, Peterson, Smith, Pscholka, Florian.
NAYS: None
ABSTAIN: None
ABSENT: None

First Reading: July 13, 2004
First publication: July 19, 2004
Second Reading: March 8, 2005
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